



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DAS
F. #2008R00488

*271 Cadman Plaza East
Brooklyn, New York 11201*

October 29, 2014

The Honorable Eric N. Vitaliano
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Osmond Decoteau
Criminal Docket No. 08-736 (ENV)

Dear Judge Vitaliano:

The government respectfully submits this application to dismiss the indictment in the above-captioned case. As the Court is aware, after having been deemed incompetent to stand trial or plead guilty, the defendant received multiple rounds of anti-psychotic medication. Unfortunately, this medication did not restore the defendant to competency. On May 10, 2013, the defendant was released on bail, after having served nearly five years in custody. At that time, the Court granted the government's application to require the defendant to undergo another psychological evaluation in one year's time, and to hold the case in abeyance in the interim, pursuant to 18 U.S.C. §3161(a)(4).

An expert retained by the government has recently completed a detailed evaluation of the defendant's mental state. In light of information obtained from this evaluation, as well as the factual and procedural history of this case, the government does not intend to further pursue the prosecution of Decoteau in this matter. Therefore, the government respectfully

requests that, at the status conference scheduled for Friday, October 31, the Court enter an order dismissing the indictment against Decoteau.

Respectfully Submitted,

LORETTA E. LYNCH
United States Attorney

By: /s/Daniel Spector
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cc: Michael Weil, Esq. (By ECF)